Justice Department Faulted in Case Against CIA Aide

By George Lardner Jr. 7-30-75
Washington Post Staff Writer

Former Assistant Attorney General Henry E. Petersen said yesterday that opium smuggling charges against a Central Intelligence Agency operative were dismissed last year without his knowledge.

Then head of the Justice Department's Criminal Division, Petersen said CIA officials contacted him about the case in April of 1974 but he told them to see U.S. Attorney James Thompson of Chicago about it instead.

"If you ask me, 'Did the procedure break down,' I guess that it did," Petersen told a House Government Operations subcommittee headed by Rep. Bella Abzug (D-N.Y.). "I did not know the matter had been dismissed until last Thursday."

The case involved narcotics trafficking charges against Puttaporn Khramkhruan, 31, who worked for the CIA in Thailand and who was indicted in 1973 while in the United States on charges of helping to smuggle 59 pounds of raw opium into Chicago.

According to the testimony of Petersen and other witnesses, the CIA apparently forced the dismissal of the charges simply by telling Justice Department officials that prosecution "could prove embarrassing" because of Khramkhruan's involvement in CIA activities in Thailand, Burma and elsewhere.

The CIA has insisted that it made a "complete disclosure" to the Justice Department of Khramkhruan's role as as an informant on narcotics traffic in Southeast Asia. Mrs. Abzug, however, protested that apparently no one at Justice ever pressed the CIA to explain why that should bar his prosecution.

"No one in the (Justice) Department was in conrtol," she complained. "It would appear that because the CIA said to the Department of Justice, 'You shouldn't go into this case,' it wasn't gone into — withoug anyone having any information as to why."

Petersen said e told CIA officials to confer with Thimpson because "I did not know the facts of the case." Assistant U.S. Attorney Jeffrey Cole of Chicago told the subcommittee that he later joined in a recommendation that charges against Khramkhruan b e dropped "unless the CIA can be persuaded" to produce backup documents and witnesses that would have been required at the trial.

The Justice Department lawyer in Washington in c arge of the Criminal Division's narcotics section, William E. Ryan, subsequently approved dismissal of the indictment against Khramkhruan and one of his co-defendants.

Petersen said all this was done without any review by him. "Maybe it should have come back (to me), but it didn't," hd said. He agreed that the Justice Department authorization for dismissal that Ryan signed should habe been "more precise" in stating the reasons for dropping the case, but Petersen, now retired, said he never even saw the document until the subcommittee staff showed it to him last week.

Khramkhruan has since returned to Thailand where he is reportedly working at a radio station in Chiang Mei.